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Contested sovereignty: Mapping referendums on the reallocation of sovereign authority over time and space

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Abstract

To date, researchers have counted more than 200 referendums on sovereignty ranging from disparate issues such as self-determination and secession through to the process of European integration. However, existing compilations tend to suffer from definitional vagueness as well as incomplete coverage. On the basis of an improved conceptualisation we present a new dataset of almost 600 sovereignty referendums between 1776-2012. Two overarching dimensions are uncovered relating to (1) the aspects of sovereignty at stake and (2) whether integrative versus disintegrative dynamics are at play. The analytical framework provides explanatory leverage for tracing the changing nature of the referendum device during distinct historical epochs, identifying patterns of deployment over time and connecting the recent proliferation of sovereignty referendums with broader structural processes in the international political landscape whereby the referendum is increasingly used as a legitimating device for redrawing territorial boundaries and reconfiguring functional competencies across layers of political authority.

1 Introduction

The referendum device plays an increasingly prominent role in what could be termed the most fundamental of all political questions: the determination of the nature and territorial contours of a polity. Three of the four newest additions to the international system – East Timor, Montenegro, and South Sudan – were legitimized via referendums, while the remaining

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fourth – Kosovo – had already held a referendum on sovereignty nearly two decades before it declared independence. More recently, the Crimean referendum held in March 2014 paved the way for Russia’s controversial annexation of the former Ukrainian territory. Further referendums on joining Russia were held two months later in the region of Donbass (the Donetsk and Luhansk oblasts). In the context of the EU two well-known stateless nations scheduled secession referendums in 2014: Catalonia and Scotland; whilst the UK premier recently announced a referendum on continued EU membership for 2017. Although referendums on territorial-related sovereignty issues are by no means a novel phenomenon, there could be structural reasons – such as globalisation and regionalisation – which are conducive to the sovereignty referendum’s increasing prominence in the international political and legal landscape.

The increasing prominence of sovereignty referendums has led to a flurry of attention from various disciplinary angles devoted to the topic of sovereignty referendums, broadly understood. In particular, legal work has inquired whether a customary norm has emerged requiring a referendum before territorial changes (e.g. Peters 1995; Rudrakumaran 1989; Radan 2012) or the constitutional regulation of sovereignty referendums (e.g. Choudhry and Howse 2000; Tierney 2013). In the realm of political science, there is normatively-oriented work focused mainly on the implications of democratic theory for the conduct and/or desirability of sovereignty-related referendums, in particular secession referendums (e.g. Beran 1984; Birch 1988; Heraclides 1997; Buchanan 2004; Oklopic 2012). Nor has the phenomenon escaped the attention of more empirically-oriented political scientists. While some of the works amount to little more than narratives of classic examples (e.g. LeDuc 2003; Dion 1995; Adam 2013; Krause 2012; Buechi 2012), others have taken a more theoretical approach, investigating, for instance, the individual-level determinants of vote choice by highlighting factors such as national identity (Denver 2002), risk propensity (Nadeau et al. 1999; Clarke et al. 2004), the effect of supranationalization (Dardanelli 2005) or campaign effects (Pammett and LeDuc 2001). While these works typically feature a single or a small number of cases, others adopt a broader comparative perspective. One prominent strand of explicitly comparative research is dedicated to the circumstances under which sovereignty referendums are held (e.g. Qvortrup 2014; Rourke et al. 1992), often with a focus on particular types of the sovereignty referendum and/or specific regional or national contexts. Muñoz and Guinjoan (2013), for instance, focused on unilaterally-initiated referendums on independence in Catalonia, while Walker (2003) restricted himself to referendums held in the immediate post-Cold War context. Others, including Hobolt (2009), Opperman (2012) and Mendez et al. (2014), focus on referendums generated by the process of European integration.

A second strand of research addresses questions related to the design of sovereignty referendums (e.g. Farley 1986; Loizides 2014; Beigbeder 1994;

Bogdanor 1981), often with a strong focus on the celebrated cases held in the context of the partition of Schleswig (which featured an innovative zone-by-zone voting mode) and the separation of the Jura from the Swiss canton of Berne (which involved a series of repeated votes) (Laponce 2001, 2004, 2010; Goodhart 1981). Finally, a third strand of comparative research is interested in the consequences of sovereignty referendums. Here, a question that features prominently is whether sovereignty referendums are conducive to conflict resolution, with some taking a rather positive view (e.g. Farley 1986; Laponce 2001, 2004, 2010; He 2002; Thompson 1989; Qvortrup 2014) and others being much more skeptical (e.g. Ginty 2003; Lee Ginty 2012; Wheatley 2012). Laponce (2012) has studied the convergence effect of referendums in terms of linguistic and political borders while others have focussed their attention on the EU context and the effect of referendums on constitutional outcomes (e.g. Christin and Hug 2002; Mendez et al. 2014).

Arguably, an indispensable prerequisite for research on sovereignty referendums is getting the historical record right. Existing compilations (e.g. Laponce 2010; Qvortrup 2012), however, tend to suffer from both definitional vagueness and incomplete coverage. In this paper we present some preliminary results from a research project that aims to map the diffusion of sovereignty referendums over time and space. Based on an improved conceptualisation and drawing on a richer set of sources, including historical ones, we collected a fresh data set that includes almost 600 sovereignty referendums between 1776-2012 and thus significantly extends existing compilations, which featured no more than 200 to 250 cases. Furthermore, we introduce two underlying dimensions to the phenomenon, which in combination allow for a basic yet theory-led categorization of the widely disparate phenomenon. On the basis of this new data set we attempt to unravel some of the dynamics associated with the sovereignty referendum in terms of distinct clusters and patterns of usage.

The paper is structured as follows: in the first section, we review the existing compilations of sovereignty referendums, with a focus on conceptual deficiencies and incomplete coverage. In the second section we provide an updated and improved framework for the identification of sovereignty referendums. The third section presents the resulting new data set and identifies some basic patterns in usage. The discussion in the final section wraps up the argument and suggests possible directions for future research.

2 State-of-the-Art

Over the years there have been several attempts at mapping the world-wide experience with sovereignty referendums. Historical examples include Wambaugh (1920, 1933) and Mattern (1920). Evidently, these works from the inter-war period are outdated. But they served as a useful (though

all-too-often also the only) reference source for later attempts at covering the field, e.g. Goodhart (1971). Even if it attempts to map referendum use in general, i.e., not only sovereignty referendums, the work by Butler and Ranney (1978, 1994a) certainly ranks among the most important and complete compilations. Later work, including Laponce (2010), Qvortrup (2012, 2014) as well as He (2002) and Sussman (2006), builds heavily on Butler and Ranney’s efforts.

Thus far, the most up-to-date lists (Laponce 2010; Qvortrup 2012, 2014) have identified a total of around 190 and 210 sovereignty referendums, respectively. These lists have been used to classify the sovereignty referendum and make generalisations about its global evolution. Laponce (2010), in particular, identified a total of five high-tide waves in the deployment of sovereignty referendums, starting with the wave of referendums in the context of post-Revolutionary France which included what both Laponce (2010) and Qvortrup (2012, 2014) consider the first sovereignty referendum in the modern era, namely the referendum held in Avignon in 1791 on its annexation by France. Since the sovereignty referendum is far from being a uniform category, scholars came up with various classification schemes, which typically (though not exclusively, see e.g. Laponce 2010; Scelle 1934) relate to the nature of the issue at stake. For Sussman (2006), for instance, there are six categories of sovereignty referendums, from referendums which celebrate the independence of nation-states, referendums to settle border disputes, referendums to settle the status of colonies, referendums on the transfer of sovereignty either to a sub-national unit (devolution) or a supra-national one, downsizing referendums which facilitate the secession or cession of territories, and upsizing referendums on the incorporation of further territories into a nation-state. Qvortrup (2012, 2014), on the other hand, distinguished between what he calls homogenizing and heterogenizing referendums, on the one hand, and international and national referendums, on the other hand. Sometimes these taxonomic efforts can lead to useful new systems for classifying types of sovereignty referendums while identifying historical patterns of deployment. The danger, however, is that scholars generate proliferating but incompatible typologies, and the reality is that many typologies are poorly motivated and rather ad-hoc (for instance, Qvortrup’s typology fails to classify EU-related referendums and is based on the distinction between referendum initiators who embrace diversity and others who do not, which may be difficult to establish empirically).

Other than the typologies, there are at least two further major problems with the existing attempts at covering the field. First, there is considerable conceptual muddiness around the sovereignty referendum. To begin with, various authors use terms other than ‘sovereignty referendum’ to denote what is more or less the same concept. Butler and Ranney (1994b), for instance, speak of referendums on territorial issues (He 2002, Bogdanor 1981, Goodhart 1981, and Peters use a similar terminology). Especially in

the historical literature (e.g. Wambaugh 1920, 1933; Mattern 1921), but also in some of the more contemporary, international law-inspired literature, the term ‘plebiscite’ is used to denote what many today would term a sovereignty referendum (see Trechsel and Esposito 2001 for a critique). Finally, Qvortrup (2012, 2014) uses the term ‘ethnonational referendum’ to tag what on the practical level largely coincides with our conception of a sovereignty referendum, even if it could be theoretically conceived as much broader (Qvortrup includes a small and far from comprehensive number of referendums on minority-rights related issues that would not typically be considered sovereignty referendums, such as the ethnically charged vote on the Belgian king in 1950).

Admittedly, the use of alternative labels for the same or similar concepts is not restricted to the present domain, and whether it in fact harms scientific progress is open to debate. Conceptual ambiguity does not stop here, however. All too often, scholars seem to pay rather scant attention to definitional issues (see Peters 1995 for a notable exception). Sussman (2006), for instance, defines sovereignty referendums as "characterized by the participation of the demos in determining the shape of the polis or the nature of its sovereignty" – a rather ambiguous statement that is arguably far too lofty to generate replicable coding decisions. Auer (2006) may be clearer, but nonetheless seems to avoid the definitional issue when he writes that sovereignty referendums are popular consultations relating to the independence of states, territorial modifications, self-determination of a decentralised community, accession of a state to a supranational organization or further delegation of powers to supranational organizations. Farley (1986), while considering at length the definition of a referendum, does not feel a need to further specify what it implies if a referendum is on ‘a matter of sovereignty’. Perhaps the most extreme case is Laponce (2010) who in his book-length treatise on ‘sovereignty referendums’ does not feel a need to define the concept at all. Evidently Laponce and, to a lesser extent, Sussman, Auer, and Farley assume that the concept of the sovereignty referendum is self-evident. It is not, of course, and indeed concepts never are and should always be clearly delimited (Mill 1889; Goertz 2006).

This is true in particular for a concept as ambiguous as ‘sovereignty’ (Krasner 1999). But even if one could presuppose a common understanding of what constitutes sovereignty, the term sovereignty referendum can be misleading, for at least two reasons. First, all referendums (at least when they are binding) have a sovereignty component since the very act of consulting the ‘people’ is nominally predicated on the idea that the ‘people’ is the supreme authority over a given question. Since the referendum is the institutional mechanism *par excellence* for exercising popular ‘sovereignty’, all (binding) referendums could be conceived of as sovereignty referendums. Our understanding of what the term sovereignty referendum actually encompasses is not the exercise of sovereignty by the people, but ‘where’ it is

exercised and in relation to ‘what’. Second, not all referendums which affect the locus of sovereignty – that is, the locus of supreme authority – would normally be counted as sovereignty referendums. For instance, the 1974 vote in Greece on the transition to a republican form of government, which implied a change in the locus of supreme authority, would not generally be considered a sovereignty referendum. Likewise, even if it signified the transition from a military dictatorship to a presidential democracy and thus involves an act of constituent power entailing a transfer of sovereignty from dictators to the people, the 1990 vote on the new constitution of Benin would not fall under the rubric of the sovereignty referendum. Thus somewhat counter-intuitively, the sovereignty referendum is not simply a referendum on the locus of sovereignty. Rather, as will be argued in detail below, it must involve a reallocation of sovereign rights *between at least two territorial centres*.

It might not come as a big surprise that the conceptual muddiness leads to varied coding decisions. In particular, scholars have disagreed on whether referendums related to the formation of supranational entities, in particular the EU or NATO, should be counted as sovereignty referendums, with Laponce (2010) and Peters (1995) taking a negative view and others (e.g. Qvortrup 2012, 2014; Butler and Ranney 1994a) arguing that the EU-related referendums should at least be counted. The second major problem with existing data sets is their incomplete coverage. While conceptual ambiguity could play its part here, too, the most important reason for this is the typical focus on a small selection of seminal works (in particular Wambaugh 1920, 1933; Butler and Ranney 1978, 1994a) and the lack of attention given to alternative sources, including some of the less well-known non-English language historical literature on the topic (e.g. Fauchille 1925; Freudenthal 1891; Scelle 1934; Kunz 1961; Mattern 1920) and encyclopaedic sources, in particular encyclopedias of referendums and elections, as well as the two main referendum databases: the c2d database and sudd (we include in the appendix an extended list of sources used for the data collection process). We shall now try to address our criticisms of the current state-of-the-art by offering a new framework for analysis.

3 Framework for analysis

The concept of the sovereignty referendum

As argued above, a more precise definition of the concept of the sovereignty referendum is in order to structure the data collection process. Since the sovereignty referendum is a subset of the more general category of the referendum, any definitional attempt should start with defining the referendum. What, then, do we understand by a referendum? In line with most comparativists (e.g. Butler and Ranney 1994), we use the concept of the referendum

broadly as referring to any popular vote which is organized by the state (or at least a state-like entity, such as the authorities of de-facto states) and directly relates to an issue. Critically the referendum defined as such includes citizen's initiatives, which are sometimes not seen as referendums, and also includes both binding and consultative votes, but excludes elections to a representative body, even if the sole purpose of this body is to make decisions on sovereignty matters.

The question remains what we understand by a referendum – or a direct popular vote – on sovereignty. In the spirit of Peters (1995), we define the sovereignty referendum as a direct popular vote *which involves a major reallocation of sovereign rights over a given territorial entity between at least two territorial centres*. By sovereign rights we broadly refer to the right to make authoritative political decisions within a territorial unit, i.e., that there is some form of territorially bounded policy autonomy. The concept is therefore not restricted to Westphalian-type sovereignty, but also includes the more limited type of sovereignty exercised by autonomous sub-national units (such as Scotland) or supranational entities (such as the EU). The major implication of this definition is that sovereignty referendums must involve at a minimum a dyadic shift in the locus of sovereign rights between two territorial centres. A typical example of such a dyadic territorial shift is a secession whereby sovereignty over a sub-state entity is transferred from a country's capital to a regional centre. Evidently, if three territorial centres were implicated the relations would have a triadic form. Critically, the minimum dyadic criterion excludes referendums on 'horizontal' power shifts within a single territorial entity, such as the Greek or Benin transition referendums mentioned above.

Two further implications are worth noting. First, in order to render the data collection effort feasible, we focus on 'major' shifts in sovereignty, meaning that core competencies of the state must be at stake in a referendum. Thus we exclude relatively minor shifts related to, for instance, the autonomy of municipalities or the alignment of second-level administrative units. Note, however, that size does not matter and we do include votes even on the sovereignty of the smallest islands, as long as a major shift is implied (e.g. independence or significant territorial autonomy). Second, we do not require that sovereignty reallocation is the only issue at stake. Major sovereignty referendums sometimes involve a peace arrangement between previously warring communities, such as the failed Annan Plan on Cyprus' reunification in 2004, which also defined the constitutional set-up of the new state. Similarly too with referendums on the creation of new federations, such as Australia at the turn of the nineteenth century, the referendum was not only about the shift in sovereignty implied by the creation of a new federation but also entailed the latter's organisational set up. We therefore include such cases where the sovereignty reallocation can be considered the dominant issue at stake.

Typology

The concept of the sovereignty referendum as defined above includes a diverse set of cases. Following other analysts (e.g. Qvortrup 2012, 2014; Sussman 2006; Peters 1995; and in part Laponce 2010) we propose to draw a distinction between different types of sovereignty referendums based on a sub-classification of the subject matter. In other words, the proposed typology distinguishes between different sorts of reallocations of sovereignty. Specifically, the typology is based on two dimensions, first the *scope* of the sovereignty shift at stake, and second the *logic* of the sovereignty shift at stake.

We begin with the scope of sovereignty. What we define as scope relates to the aspects or principles of sovereignty at stake in a given referendum. Our conceptualisation of the scope of sovereignty draws on Krasner's typology of sovereignty. Krasner (1999) famously identified four modalities of sovereignty, which were later simplified to give rise to three types (Krasner 2004, 2005). He identifies 'conventional sovereignty' as combining elements of international legal recognition and the Westphalian principle of non-intervention in the internal affairs of states. There is, as Krasner (2004) notes, a very widespread attachment to this classical conception or conventional understanding of sovereignty even if securing it in practice is riddled with considerable barriers. Following a gradation logic there are alternative configurations of sovereignty that fall short of the 'conventional sovereignty' ideal. A not uncommon historical modality has involved his second type: 'partial sovereignty'. By this he refers to the organization of authority within a state, both vertically and horizontally, as well as the state's ability to effectively exercise authority. States can experience limitations on their capacity to exercise domestic authority such as when states' commit to limit the weapons it develops or sign a security pact. Krasner (2004) only lists examples stemming from constraints imposed by the external environment. But, as we argue, constraints on the centre could stem from an internal source just as easily. Our focus is on the constraints stemming from internal sources that impinge on the domestic authority of a state. Thus, our understanding of referendums on partial sovereignty relate to the issue of where the vertical locus of sovereignty resides within a given state. In other words, a sub-state territory can enjoy partial sovereignty within a state structure. Lastly, there is Krasner's (2004, 2005) third modality, 'shared sovereignty', which relates to the parcelling out of elements of domestic authority to supranational structures such as the EU or NATO. Following Keohane (2003) we prefer to use the term 'pooled sovereignty' to describe this type so as not to conflate it with the shared sovereignty that is used to characterize federal systems (e.g. Riker 1964, Elazar 1987, F2014).

Whereas our scope dimension has a material notion of the aspects of sovereignty at stake with respect to the referendum subject matter, our

second overarching dimension – the logic of a sovereignty referendum – is concerned with the ideational or, more specifically, the identitarian aspects at stake for any given referendum. It relates to the following question: how does a change in the status quo implied by a referendum affect the locus of identities, loyalties and expectations between two or more territorial centres? The logic dimension, as we conceive it, has a directional element that describes the shift in identities, loyalties and expectations for any given re-allocation of sovereign authority. A sovereignty shift can take two distinct directions: integrative or disintegrative. An integrative logic refers to the dynamic whereby political actors in one or more political (sub-)systems are persuaded to shift their loyalties, expectations and political activities towards a new centre which then acquires overall jurisdiction. This definition of political integration draws on Haas (1964). A disintegrative logic operates in the opposite direction and refers to the dynamic whereby political actors in one or more subsystems withdraw their loyalties, expectations, and political activities from a jurisdictional centre and either focus them on a centre of their own or on an external centre, typically the cultural motherland. This understanding of political disintegration builds on Wood (1981).

Combining the two dimensions (scope and logic) yields a total of six categories (three scope categories by two logic categories). The typology of sovereignty referendums is presented in table 1. It is possible to further disaggregate the typology with two sub-types within each of the six broad categories. In the exploratory analysis that follows we provide illustrative example of each type of referendum and how they have clustered over time and space.

Table 1: Typology of sovereignty referendums

Logic		Scope		
		<i>Partial</i>	<i>Conventional</i>	<i>Pooled</i>
		(1)	(2)	(3)
Logic	<i>Integrative</i>	Incorporation Sub-state merger	Unification Transfer	Accession Delegation
	<i>Disintegrative</i>	(4) Autonomy Sub-state split	(5) Independence Separation	(6) Withdrawal Repatriation

A special note needs to be added for sovereignty referendums involving multiple options. If a referendum involves more than one option other than the status quo, it may not be possible to classify either a referendum’s scope or logic, or both. For instance, the 2012 vote in Puerto Rico involved several options ranging from statehood (partial sovereignty and integrative logic) to full independence (conventional sovereignty and disintegrative logic), hence both the referendum’s scope and logic are mixed. Across the entire dataset

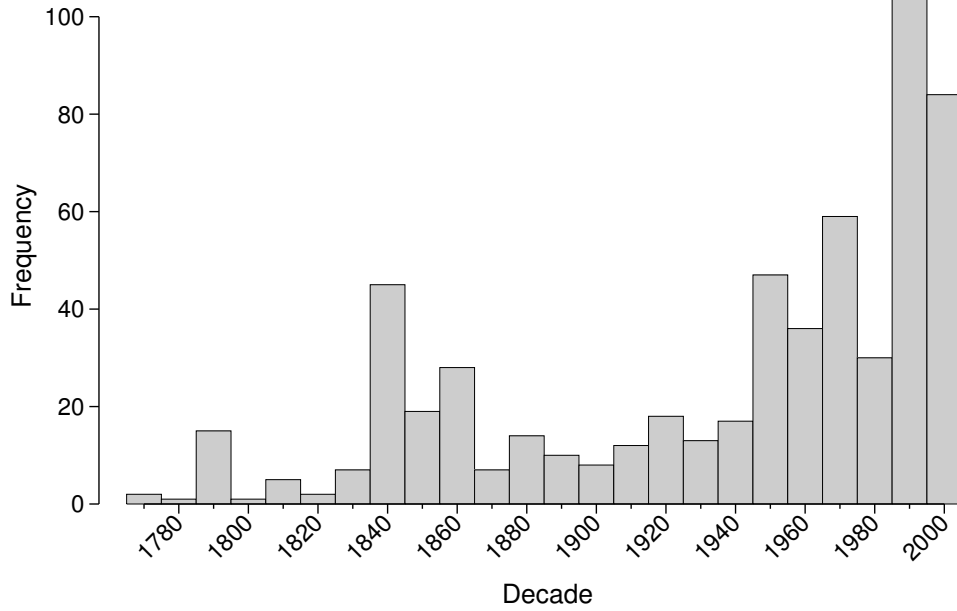


Figure 1: Sovereignty referendums over time

this category of the multi-option referendums with mixed scope, logic, or both only applies to a minority of cases (27 cases out of 596).¹

4 Exploratory analysis

Figure 1 presents a summary of referendum activity over time. The bars are split to represent decades. A cursory glance at the distributions reveal a number of distinctive peaks. These peaks coincide with important events in the international system such as the collapse of empire or world war, all of which triggered the referendums on territorial reallocations. Indeed, it is not uncommon for scholars to talk of waves of referendum activity, for instance, the expansion of the EU to incorporate the former CEECs in the early 2000s was referred to as a domino wave (Closa 2005). Similarly, it is possible to identify waves of sovereignty referendums (e.g. Sussman 2006). A wave suggests a concentration of referendum activity at a particular temporal juncture that, in addition, could be spatially concentrated. For example, the aforementioned referendums as well as taking place in Europe all occurred in the year 2004. Evidently the temporal range can be extended to encompass decades or even centuries. However, given the multi-dimensional nature of

¹We exclude the residual ‘mixed’ category from presenting the typology

the sovereignty referendum as we define it, we prefer to use the concept of a cluster for reasons that will become apparent below.

Identifying clusters

Unlike waves, clusters of referendum activity need not be temporally concentrated. Although some of the clusters we identify are temporally concentrated others are best understood by their spatially clustering and are spread out over longer periods. In our *quasi-inductive* clustering exercise, we were able to group the data into 8 clusters that cover almost 90 per cent of the referendum activity.

1. *The French revolution.* We were able to identify 13 referendums that were connected to the French revolution between 1791 to 1799. Evidently, these referendums were also spatially concentrated in Europe within close geographic proximity to France. The first referendum relates to the oft-cited case of Avignon and Comtat Venaissin in 1791, which entailed the latter joining France. The Avignon case is frequently cited as one of the first sovereignty referendums, although we consider the first sovereignty referendums to have taken place in the US (see cluster 6 below). Most of these referendums were ‘transfer’ referendums that involved the reallocation of conventional sovereignty (ultimate authority over a territorial entity) from one state to another, i.e., to France, and usually under the presence of an occupying force. The overriding logic is integrative since it primarily involves a shift of loyalties and expectations towards a new centre (in these cases towards France).
2. *Mid-nineteenth century nation state building in Europe.* In the middle of the nineteenth century there was a clustering of referendum activity connected to nation building. This led to foundational state creation moments in Switzerland and Italy between the late 1840s and the 1870s. Whereas the foundational moment of the Swiss confederation was a swift affair, which took place after a civil war and was settled by a series of referendums in the year 1848, Italian unification was a much longer drawn out process. A total of 43 referendums were held during this period of foundational state creation with 22 referendums related to the Swiss case and 21 referendums associated with the creation of modern Italy. Most of these referendums can be considered as ‘unification’ referendums whereby conventional sovereignty over a given territorial units is reallocated towards a new centre. The dominant logic in this cluster was integrative since loyalties and expectations are refocused externally towards this new centre. We do, however, include a subset of referendum events in 1848 - Lombardy and Venice - that

followed a disintegrative logic. At the time these territories were anchored within the Austro–Hungarian empire with separatist/irredentist movements pushing for integration with Italy. Here the disintegrative logic trumps the integrative dynamic since realising the goals involved the more conflictual politics of separating from the Austro-Hungarian empire.

3. *The First World War.* We identify 26 referendums connected to the redrawing of territorial borders in the aftermath of the First World War. These referendums should be seen in the context of the post–Versailles settlements and the famous enunciation of US President Wilson doctrine of self-determination (Gonssollin 1921; Kunz 1961; Peters 1995). This cluster includes celebrated cases such as Schleswig 1920 (on joining Denmark or Germany), Upper Silesia 1921 (on joining Poland or Germany). Other cases were connected to the dismantling of the Austro–Hungarian empire, such as Klagenfurt Basin (1920) or Sopron (1921). Except for two referendums associated with the collapse of the Ottoman Empire (Nakhchivan in 1921 on joining the Armenian or Azeri Soviet Republic and Kars, Batum and Ardahan 1918 that involved an annexation of Russian territory) all referendums were spatially concentrated in mainland Europe. Most of the referendums occurred during the years 1919–1923, although we also include the 1935 referendum in Saar (a triple option referendum on joining France, Germany or retaining the status quo as a mandated territory) and the 1938 Anschlusses referendum on Germany’s merger with Austria –held after Hitler had already occupied Austria in the preceding month. Three-quarters of the referendums are classified as integrative and followed the ‘transfer’ dynamic, typically involving the choice between joining country A or B as some of the above examples illustrate. However, we do also identify four separation attempts, such as Voralberg’s attempt to secede from Austria and join Switzerland in 1919 or Tyrol’s 1921 referendum on joining Germany.
4. *Post Second World War and decolonisation.* This includes a large cluster of referendum events, 143 in total, that are much more heterogeneous than the previous three clusters. This is especially the case with regard to spatial characteristics, with most referendums taking place in Africa, Asia and Latin America. Unlike the aftermath of the First World War, which triggered territorial changes that were mostly confined to mainland Europe, the territorial reconfigurations following the Second World War were much more of a global phenomenon. This cluster is mostly associated with the ‘independence’ referendums held in former European colonies, especially those of France and the UK –although mention could also be made of some remaining Dutch, Portuguese and

Spanish colonies. A good example relates to the 18 referendums held in 1958 by French colonies on the new French constitution –a rejection of which would pave the way for a colony’s independence. In terms of their scope, independence referendums are clearly related to the seeking of conventional sovereignty on the part of the former colonial territory and the logic is disintegrative as the territories refocus their loyalties and identities internally. However, this cluster also includes a host of status referendums that involved multiple sovereignty options. Such referendums were typically held in Pacific islands (e.g. Northern Marian Islands and the US Pacific Islands) and Caribbean islands (e.g. Curacao and Bonaire). There were also some integrative referendums, for instance the creation of the Federated States of Micronesia (1978) involved a series of unification referendums and there were a number of transfer referendums in the Indian subcontinent (e.g. Sikkim 1947 and Chandannagar 1949) and in Africa (British Togoland in 1956 on merging with Ghana and the British Cameroons in 1961 on the choice between joining Ghana or Nigeria). Lastly, this cluster also includes a small number of territorial changes in the immediate aftermath of the war in Europe (e.g. the ‘sub–state merger’ that led to the creation of German Lander Baden-Wuerttemberg in 1950 or the transfer of Tende and La Brigue in 1947 to France).

5. *Disintegration of the Soviet Union and its aftermath.* As the Soviet Union disintegrated, a domino wave of independence referendums was unleashed that peaked between the years 1990–1993. This included most of the former Soviet Republics such as Georgia, Armenia, Azerbaijan, Uzbekistan, Ukraine and Turkmenistan, as well as the Baltic states of Estonia, Latvia and Lithuania. At the height of the breakdown President Gorbachev organised an continued union referendum on maintaining the Soviet Union in 1991. The knock-on effects of the Soviet disintegration were especially pronounced in the Balkans, with referendums in the Yugoslav republics of Slovenia, Croatia, Macedonia, Bosnia-Herzegovian, Montenegro and Kosovo (though the latter was not a republic). It is not surprising that one of the dominant features of this cluster of referendum activity is that it followed a disintegrative logic –approximately 90 per cent of cases. This includes ‘separation’ cases such as the Krajina’s multiple referendums, Srpska merger attempts with Serbia between 1991 and 1993 or Transdniestria and South Ossetia referendums on joining Russia. At the same time, if not attempting to gain outright independence, which is connected to seeking conventional sovereignty, there were many autonomy referendums which nonetheless follow the disintegrative logic. These include cases such as the Crimea in 1991 and 1994 and Donetsk 1994. Mention could also be made of a minority of cases, about 10 per cent of

the total, that were integrative. Examples include the Sakhalin and Kuril Islands (1991) on joining Japan, or Moldova's 1994 referendum on union with Romania.

These first five clusters were typically clustered temporally and to a certain extent can all be identified in the peaks of the histogram in figure 1. With the exception of clusters 4 and 5, referendums were spatially concentrated in Europe. Furthermore, the referendum activity was connected to specific geo-political events such as the French Revolution, the two World Wars or the collapse of the Soviet empire –the Swiss and Italian unification cases were also connected to conflict, such as civil war or the series of political upheavals following the 1848 revolutions across Europe. The remaining three clusters do not fit easily within this wave-type logic. Instead, they are more appropriately classified as longer term processes of territorial changes.

6. *US polity creation.* The US includes the first referendum in our dataset, the Massachusetts 1776 referendum on the Declaration of Independence. It is by definition, therefore, the first independence referendum connected to decolonisation. However, it is also the only such referendum held on US territory since no other 'Declaration of Independence' referendum was held. Most referendum cases in the US, at least 70 per cent of referendums, can be considered as cases of 'incorporation' that follow the integrative logic and are related to the expansion of the US to incorporate new territories. Such referendums have an extended temporal range from the 1830s until the 1970s. These territories would typically hold constitutional referendums to legitimate their prospective new status as states within the US federation, which in many cases would fail on the first attempt. Hawaii and Alaska are the most recent territories to have held successful statehood referendums in the late 1950s. Surprisingly, and unlike the federal moment in say Switzerland in the 1840s or Australia in the 1890s, only one 'unification' referendum was held to ratify the US Constitution, which gave birth to the modern US nation-state. This took place in Rhode Island in 1788 and the outcome was actually a 'no' vote. Rhode Island eventually joined the federation by pursuing an alternative ratification route that avoided the referendum. By far the most unstable period in the US state formation process was associated with the series of secession referendums held at the time of the US civil war. We were able to identify six such referendums, including Texas, North Carolina and Virginia that all took place in 1861 and follow the disintegrative logic. Indeed the latter referendum, triggered an immediate referendum the same year in which West Virginia split from Virginia when the former joined the Confederates. This type of referendum, the sub-state split, is quite common in the US. The first occurred with Maine's protracted series

of referendums between 1792 and 1819 as it sought to split from Massachusetts. It is also quite typical for such referendums to be repeated –this has occurred in all cases of sub-state splits (Main, West Virginia, Colorado, and South Dakota). States can also merge –a sub-state merger– although this is much rarer and we only came across Arizona and New Mexico’s attempt in 1906. Lastly, given its territorial scope across a continent, the US has triggered many referendums in associated territories as they seek to clarify their status and relationship with the federation. Many of these referendums have a multi-option format and are repeated –the cases of Puerto Rico, Guam or the American Virgin Islands being good examples.

7. *Supranational.* The cluster of supranational referendums are all related to the pooling of sovereignty. What characterises these types of referendums is that they are mostly related to the ‘accession’, or the ‘delegation’ of powers, to a supranational entity. As such they follow an integrative logic while the scope of sovereignty delegated is always partial since international legal sovereignty resides with the member state. Nonetheless, as pointed out in section 3, this can still generate conflictual tensions since Westphalian type sovereignty is compromised by such pooling. This is a source of politicisation in member states and has resulted in a number of disintegrative referendums on the continued membership of supranational entities. Such ‘withdrawal’ referendums are very rare however, and only three have taken place. The UK’s continued EC membership referendum in 1975, Greenland’s successful withdrawal from the EC in 1982, and a Spanish referendum on continued NATO membership in 1986. In fact it is quite probable that the UK will repeat its withdrawal referendum of 1975 while adding an innovative multi-option dimension to the issue, the ‘repatriation’ of powers, in a 2017 scheduled vote. The most important thing to note about this cluster is that it is a predominantly an EU affair –accounting for almost 90 per cent of such referendum activity. In this regard, and notwithstanding the partial scope of sovereignty reallocation entailed by this type of referendum, there are lessons to be drawn from the US polity formation process. Both examples have triggered referendum dynamics both within the polity and outside the polity as neighbouring territories either accede to acquire full membership status or conduct repeated referendums on their relations with the EU (as is the case for Switzerland or Norway). This is hardly surprising given that dynamics of European integration resemble a proto-federation in the making –at least insofar as the triggering of referendums related to contested sovereignty is concerned. Thus, although it would be possible to delimit the temporal range of these supranational referendums as a post-1970s phenomenon, to do so would be misleading as it is

likely to persist as an ongoing process –as was the case in the US.

8. *Devolution and separatism.* As with the EU argument above, a similar argument about longer-term structural processes involving territorial autonomy and self-determination dynamics can be used to cluster referendums. A convenient, if not entirely accurate, juncture could be considered from the 1970s onwards. To be fair there have been autonomy and secession referendums before. For instance, there were autonomy referendums just before the onset of the Spanish Civil War in Galicia, Catalonia and the Basque Country during the mid-1930s, or failed secession attempts such as Western Australia in 1933. In short, these type of referendums have occurred throughout the entire period but there is a notable spike in activity since around the 1970s. Indeed, the number of cases in this cluster would be considerably higher if some of the autonomy and independence referendums were not grouped within the cluster of post war decolonisation wave or the Soviet disintegration (clusters 4 and 5 respectively). All referendums in this cluster follow the disintegrative logic. More than two-thirds of these referendums are related to seeking greater partial sovereignty for a given territory, indeed this is one of the distinctive features of an ‘autonomy’ referendum. By far the majority of case fall within this class, examples include Greenland’s home rule in 1979 or Scotland’s failed devolution referendum in the same year. The historic Spanish communities, the Basque country and Catalonia, also held referendums on greater autonomy in 1979 (Galicia held its referendum the following year). By the mid-1990s devolution is in full swing with celebrated Welsh and Scottish referendums in 1997 and in the 2000s the decentralisation dynamic becomes more prevalent in Latin America, especially in Bolivia. Separatism can also take the form of a sub-state split, as was the case with a series of referendums generated by Jura’s famous split from Berne in Switzerland. We also include within this overall cluster independence referendums. Demands for the acquisition of conventional sovereignty were successfully concluded in a number of cases such as Eritrea’s secession from Ethiopia in 1993, East Timor’s separation from Indonesia in 1999 or South Sudan’s split from Sudan in 2011. The unsuccessful attempts include the well-known cases of the two Quebec referendums on independence in 1980 and 1995.

The distribution of frequencies for the eight clusters can be seen in table 2, which reports the percentages in cells as well as the total N of cases. Notwithstanding inevitable overlap in some clusters –for instance the devolution and separatism cluster could be much larger if we collapsed the disintegration of the Soviet Union into cluster 8– we were able to group the data into eight fairly coherent clusters that capture almost 90 per cent of referendum activity in the dataset.

Table 2: Types of referendum by cluster

Logic	Scope	Type	US 1776-	French Revolution 1791-1799	Mid-19th century 1848-1870	Post WW1 1918-1938	Post WW2 1944-	Devolution Seperatism 1970-	Supra- National 1972-	Post-89 1989-	Other 1817-	Total
Integrative	Partial	Incorporation	64.08	7.69	0	0	4.2	0	0	0	4.05	76
	Conventional	Sub-state merger	1.94	0	0	15.38	8.39	0	0	0	32.43	42
		Unification	1.94	7.69	76.74	7.69	4.9	0	0	7.46	28.38	71
		Transfer	0	84.62	16.28	50	16.78	0	0	2.99	12.16	66
	Pooled	Accession	0	0	0	0	0	0	53.06	0	0	26
Disintegrative	Partial	Delegation	0	0	0	0	0	0	40.82	0	0	20
		Autonomy	0.97	0	0	0	9.79	64.1	0	29.85	5.41	90
		Sub-state split	15.53	0	0	7.69	4.9	12.82	0	7.46	6.76	45
		Independence	6.8	0	0	0	36.36	20.51	0	38.81	8.11	107
		Separation	1.94	0	6.98	15.38	1.4	2.56	0	13.43	1.35	23
Mixed	Pooled	Withdrawal	0	0	0	0	0	0	6.12	0	0	3
		Repatriation	0	0	0	0	0	0	0	0	0	0
	Multi-option		6.8	0	0	0	13.29	0	0	0	1.35	27
	Total		103	13	43	26	143	78	49	67	74	596

Patterns of referendum activity over time

Having described the clustering of referendums we are now in a better position to take a broader overview of the sovereignty referendum. The stacked density plots in figures 3, 4 and 5 provide us with a macroscopic overview of some of the changing dynamics in sovereignty referendum activity. Taking geographic dispersion first, in figure 3 we can see the fairly constant flow of referendum activity emanating from North America –essentially the US from the 1770s until the present day. A visible spike in referendum activity can be seen as the US expands across the North American continent between the 1830s and 1900. Europe is the other bastion of referendum activity over time. Here we can notice some very evident waves of activity. Sovereignty referendums occur in two distinctive peaks that were already described in the clusters comprising the French Revolution and mid-nineteenth century nation state building processes that lasted until the 1870s. Referendum activity then petered out, only to re-emerge after the First World War and gather pace in the post-Versailles settlements (an argument made by Wambaugh 1933). A large spike in activity then occurs from the 1980s onwards, which is largely accounted for by the development of the European Union and the knock on effects of the disintegration of the Soviet Union (see further discussion below). Lastly, apart from some a series of referendums in Australia at the turn of the nineteenth century, referendum activity in the rest of the world is mainly a post second world war phenomenon. Since then, the referendum has become truly ‘globalised’ with the rest of the world quickly catching up in the deployment of sovereignty referendums.

Let us now focus on the two dimensions of sovereignty referendums as outlined in our conceptualisation, their logic and their scope. The stacked density plots allow us to get a better handle on the dynamics involved as captured in figures 4 and 5. Taking the logic first, a very distinctive pattern can be seen in figure 4. There is a fairly constant pattern of integrative referendums, albeit with some notable spikes in the middle of the nineteenth century and post-1980s. Much of this activity is associated with the formation of nation-states principally in Europe and the case of the US. The post-1980 spike is accounted for by the emergence of a new type of referendum: the pooled sovereignty referendum (see discussion below). However, the most distinctive feature of figure 4 is the pronounced rise of the disintegrative referendum from the 1940s onwards. This was described in our previous clustering analysis and is mainly associated with three processes: (1) the wave of decolonisation after the second world war, (2) the disintegration of the Soviet Union and (3) the post 1970s trend towards autonomy and self-determination referendums –the last two of which can be clearly seen in the plot. Figure 4 also includes what is largely a residual category of mixed logic referendums, a characteristic feature of multi-option referendums.

Turning to the scope of sovereignty at stake in referendums, figure 5

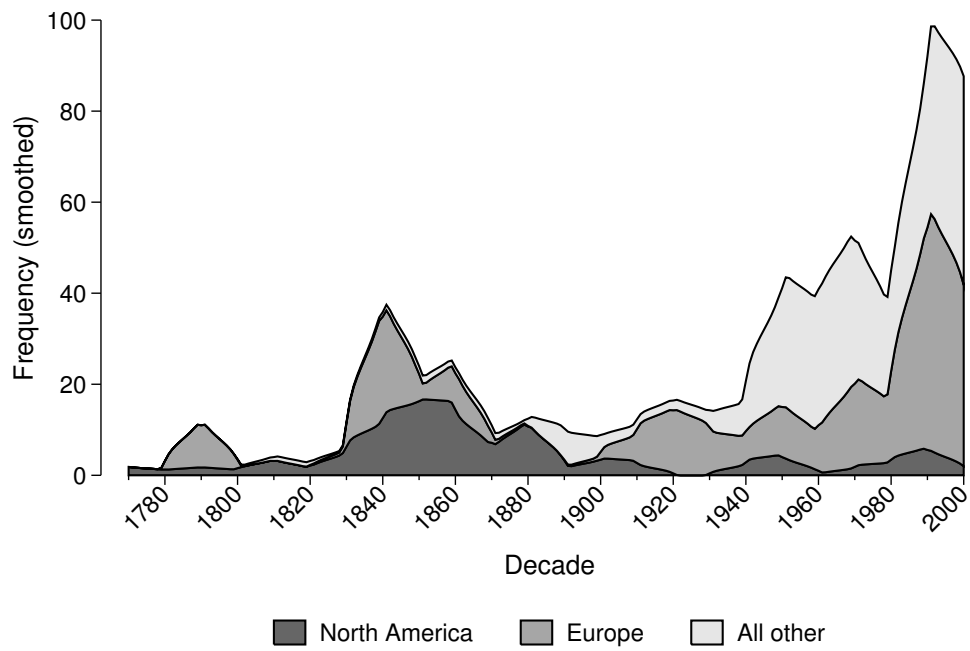


Figure 2: Referendums over time by geographic area

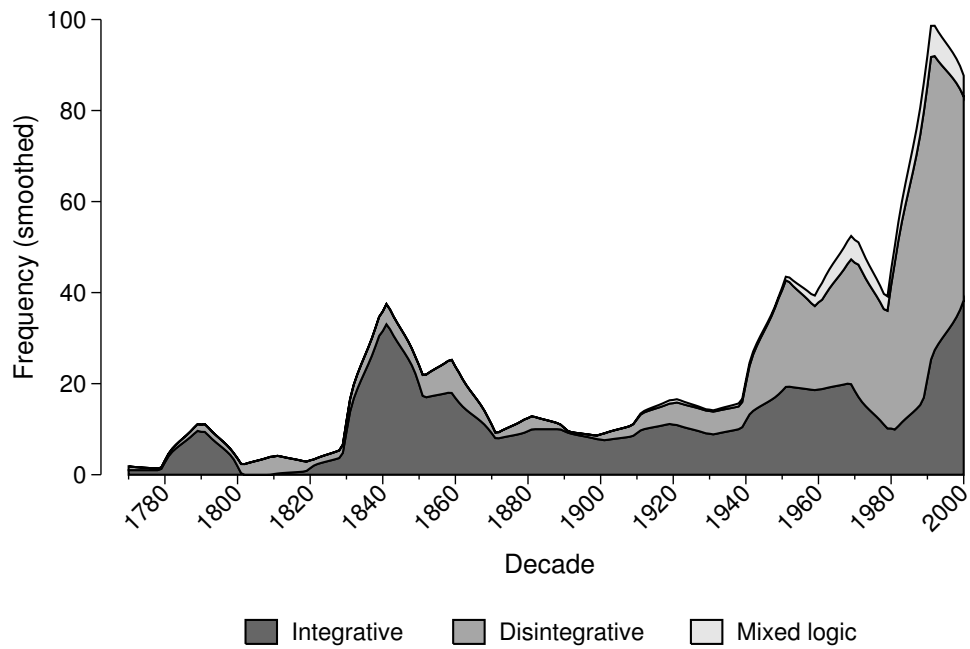


Figure 3: Referendums over time by logic

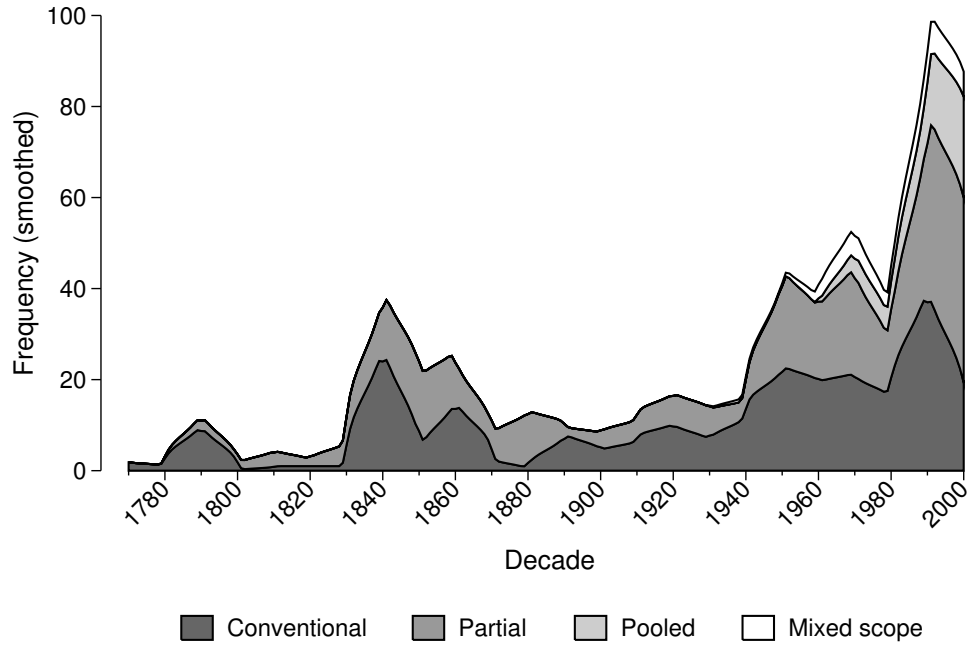


Figure 4: Referendums over time by scope of sovereignty

reveals some distinctive patterns. Referendums related to the realization of conventional sovereignty have a constant ebb and flow over time, with notable peaks during the mid-nineteenth state formation process and especially after the decolonisation wave following the second world war and the collapse of the Soviet empire. Referendums related to partial sovereignty, i.e., below the level of the nation state, exhibit some distinctive trends. Until roughly the 1940s most of these referendums were associated with territorial changes in the US. Since then, however, there has been marked rise in referendums related to territorial reconfigurations within the nation-state as can be seen in figure 5. This is especially the case since the 1980s, a trend that was described in our discussion related to the autonomy referendums of cluster 8. Another distinctive feature is the rise of the pooled sovereignty referendum since 1980s. Again, this can be easily explained by the referendums generated as a result of the process of European integration. Lastly, as with the figure 4, there is a residual category of small number of mixed cases connected to multi-option referendums.

5 Discussion

Although researchers have counted more than 200 referendums on sovereignty, ranging from such disparate issues like devolution over outright secession to

the process of European integration (Laponce 2010; Qvortrup 2012), the existing compilations tend to suffer from definitional vagueness as well as incomplete coverage. In this paper, we proposed a more clear-cut definition of the phenomenon of the sovereignty referendum and introduced a new dataset on sovereignty referendums drawing on this definition. An extensive literature search allowed us to extend the existing lists by adding many thus far overlooked cases. This is especially the case for referendum activity in the US, which has been surprisingly neglected. Based on our new compilation, we traced the phenomenon of the sovereignty referendum over time and space, reaching back to the 1770s. Thus, contrary to much of the literature, the historical lineages of the referendum can be traced back to the US in the 1770s rather than Avignon in the 1790s. Our extensive mapping exercise shows that although the sovereignty referendum has many shades, it is possible to identify basic trends in its usage. In particular, we are able to identify clusters of sovereignty referendum activity, as well as certain patterns related to the type of sovereignty referendums held in different periods of time.

In addition to the eight clusters of referendum activity we were able further tease out some of the dynamics at play with the introduction of two dimensions: scope and logic. This enabled us to neatly categorize the widely disparate phenomenon of the sovereignty referendum. The new dimensions captured some of the underlying dynamics shaping the evolving nature of the sovereignty referendum and its putative connection with broader structural changes in the international landscape, such as the revolutions and state formation processes of the nineteenth century, the break up of empires, and the growing impact of regionalisation and territorial decentralization. In particular, we were able to identify two distinctive new trends that affect the supply of referendums on sovereignty related issues. Both involve what we have termed the partial reallocation of sovereign rights that afflict the modern nation-state, especially in Europe. On the one hand, following the disintegrative logic we are witnessing a growing, bottom-up demand for referendums to satisfy claims for greater territorial recognition among groups within nations. This trend is accompanied, on the other hand, by a distinct dynamic driven by an integrative logic that increasingly involves the delegation of functional competencies to supranational organizations. This latter trend is also fueling a greater demand for referendums, which are used as a legitimating device for the further delegation of competencies. How these two dimensions continue to interact is likely to not only shape the patterns of referendum activity we have described but also have a profound impact on the territorial contours of the nation-state.

Annex

Data collection

Data collection We used five main sets of sources for the identification of sovereignty referendums. First, we consulted recently compiled lists of sovereignty referendums (or congruent or almost congruent concepts, such as territorial referendums or ethno-national referendums; Laponce 2010; Qvortrup 2012, 2014; Mendez et al. 2014; Peters 1995; Hobolt 2009) and browsed some of the broader literature on the topic (e.g. Beigbeder 1994; Goodhart 1971; LeDuc 2003; Rourke, et al. 1992; Walker 2003). While the existing lists and broader literature cover much of the ground, we did not take prior judgments for granted and always checked whether an instance conforms to our operational definition of the sovereignty referendum. For instance, we dropped the 1863 ‘referendum’ on the Ioanian Islands, typically included in the existing lists (e.g. Laponce 2010; Qvortrup 2012, 2014), since it actually was an elected body that made the decision on the sovereignty reallocation (cession from the United Kingdom to Greece) and not directly the people.

However, the existing lists are far from exhaustive. Thus and secondly, we consulted standard compilations of referendums and elections more generally (Butler and Ranney 1978; Butler and Ranney 1994a; Nohlen et al. 1999; Nohlen et al. 2001a, b; Nohlen 2005a, b; Nohlen and Stöver 2010), including online data bases (c2d; sudd). Coverage of these compilations is excellent with regard to referendums at the national level, and systematic searches revealed a number of cases that were missing from existing lists. However, their coverage is more limited when it comes to sub-national referendums, in particular unofficial or semi-official referendums and historical cases.

We employed three main strategies to overcome this weakness. Thirdly, we consulted some of the older, more historical literature on the topic (e.g., David 1918; Fauchille 1925; Freudenthal 1891; Gawenda 1946; Giroud 1920; Godechot 1956a, b; Gonssollin 1921; Kunz 1961; Mattern 1920; Rouard de Card 1890; Scelle 1934; Soboul 1989; Solière 1901; Stoerk 1879; Surrateau 1965; Wambaugh 1920, 1933). Fourth, we searched encyclopaedias on ethnic or separatist groups (Hewitt and Cheetham 2000; Minahan 2002) and the Minorities at Risk Project’s online resources (Gurr 1993; Gurr 2000) to get fuller coverage of sovereignty referendums in the context of ethnic conflict, in particular separatist and secessionist conflict. Finally, noting that we systematically missed referendums in the context of the territorial expansion of the United States, we searched seminal historical work on the creation of the American Union, including Shearer (2004), Maier (1997), and Chiorazzi and Most (2005). In addition to these five main types of sources, we consulted a rich set of case-specific literature.

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